

GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – East Godavari District – Vommange Village, Prathipadu Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.6,57,356/- towards balance decretal charges in O.P No. 23/2000 and 53/2000- Orders- Issued.

SOCIAL WELFARE (Budget&LA) DEPARTMENT

G.O.RT.No. 86

Dated: 05.03.2015

Read the following

1. From the District Collector, East Godavari Lr.No.G2/983/2012 (SW), Dated 11.3.2010.
2. From the CSW, A.P., Hyd Lr.No.LA3/3148/2010, dt.08.04.2010.
3. From the SPL CS & CCLA &CCLA, AP, Hyd, Lr. No. LA-II(S2)/225/2012, Dt : 22/08/2014.

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/RDO, Peddapuram has acquired lands to an extent to Ac.4.05 Cts in Sy.No.511/3 situated at Vommange Village Prathipadu Mandal of East Godavari District for providing house sites to weaker section people in Award No.13/1999 dated 24.12.1999, duly fixing the market value of RS.21,000/- per acre. Aggrieved by the market value fixed by the LAO, the awardees have filed a petition U/s 18 of LA Act. On referring the petition to the Sr. Civil Judge, Court, Peddapuram in LAOP No.23/2000 & 53/2000, the Court have ordered as follows:

I. LAOP NO.23/2000 dated 14.3.2001

- i. That the market value of the acquired land be fixed at Rs.87,000/- per acre.
- ii. That the LAO do pay claimant Rs.1,33,320/- towards enhanced market value of the acquired land.
- iii. That the LAO do pay claimant Rs.39,996/- towards 30% Solatium on Rs.1,33,320/-.
- iv. That the LAO do pay claimant Rs.3822/- towards 12% AMV per annum from 01.3.1999 from the date of Sec 4(1) notification till 26.05.1999 i.e., from the date of taking possession, on Rs.1,33,320/-.
- v. That the claimant is hereby not entitled to any interest on clauses (3) & (4) supra.
- vi. That the LAO do pay claimant interest on Rs.1,33,320/- at 9% p.a from 26.05.1999 to 25.05.2000 & there afterwards @ Rs.15% p.a till the date of realisation.
- vii. That the LAO do pay claimant Rs.1000/- towards cost of the petition.

II. LAOP No.53/2000 dated 14.3.2001

- i. That the market value of the acquired land be fixed at Rs.87,000/- per acre.
- ii. That the LAO do pay claimant Rs.1,33,980/- towards enhanced market value of the acquired land.
- iii. That the LAO do pay claimant Rs.40,194/- towards 30% Solatium on Rs.1,33,980 /-.
- iv. That the LAO do pay claimant Rs.3841/- towards 12% AMV per annum from 01.3.1999 from the date of Sec 4(1) notification till 26.05.1999 .
- v. That the claimant is hereby not entitled to any interest on clauses (3) & (4) supra.

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- vi. That the LAO do pay claimant interest on Rs.1,33,980/- at 9% p.a from 26.05.1999 to 25.05.2000 & there afterwards @ Rs.15% p.a till the date of realisation.
- vii. That the LAO do pay claimant Rs.1000/- towards cost of the petition.

2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further informed that aggrieved by the Lower Court orders dated 14.302001, the appeals were filed before the Hon'ble High Court of AP Hyderabad in A.S No.1663/2001. The Hon'ble Court in Common judgment dated 04.01.2007 have ordered as follows:

A.S.No.1663&1872/2001 dated 04.1.2007 against OP No. 53, 23/2000

- i. That the award passed by the Lower Court be hereby is modified enhancing the compensation of Rs.87,000/- per acre granted by the Lower Court to Rs.1,05,000/- per acre.
- ii. That the claimants be and hereby are entitled to all other statutory benefits and AMV from the date of notification till the date of possession.
- iii. The claimants be and hereby are also entitled to interest at 9% p.a for the first one year from the date of notification and at 15% p.a. there after till the date of realization in the enhanced amount.
- iv. That save as aforesaid the decree of the Lower Court do stands confirmed in all other respects.
- v. That there be no order as to costs in this appeal.

Thereafter, the District Collector, East Godavari has submitted proposal for sanction of Rs.6,57,503/- towards payment of balance decretal charges in AS No.1663 against O.P No.53/2000 and AS No.1872/2001 against O.P No.23/2000 for the lands acquired to an extent of Ac.4.05 Cts in Sy.No.511/3 situated at Vommange Village Prathipadu Mandal of East Godavari District for providing house sites to weaker section people.

3. After verification and scrutiny of the proposals submitted by the Commissioner of Social Welfare, A.P./District Collector, East Godavari, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, has sent comparative calculation sheet for an amount of Rs.6,57,356/-(Rupees six lakhs fifty seven thousand three hundred and fifty six only) towards payment of balance decretal charges in A.S No.1663/2001 against O.P No.53/2000 and A.S No.1872/2001 against O.P No.23/2000 for the lands acquired to an extent of Ac.4.05 Cts in Sy.No.511/3 situated at Vommange Village Prathipadu Mandal of East Godavari District for providing house sites to weaker section people.

4. Government, after careful examination of the above proposal, hereby accord permission to the Director of Social Welfare, A.P., Hyderabad for release an amount of Rs.6,57,356/-(Rupees six lakhs fifty seven thousand three hundred and fifty six only) towards payment of balance decretal charges in AS No.1663 against O.P No.53/2000 and A.S No.1872/2001 against O.P No.23/2000 for the lands acquired to an extent of Ac.4.05 Cts in Sy.No.511/3 situated at Vommange Village Prathipadu Mandal of East Godavari District for providing house sites to weaker section people.

5. The expenditure sanctioned in para (4) above shall be met within the BE.2014-15 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

6. The Director of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, East Godavari District, to comply with the Court orders in OP No. 23/2000 and 53/2000.

Contd.,

7. The District Collector, East Godavari District shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad
The Director of Social Welfare, A.P., Hyderabad,
The District Collector, East Godavari District at Kakinada
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, East Godavari District.
Finance (EBS-III.SW-TW) Department
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER